

REMARKS

In the Office action dated August 17, 2005, claims 1 to 19, 22 and 23 are pending of which claims 1 to 5, 7 to 13, 15 to 19, 22 and 23 were rejected, and claims 6 and 14 were objected to. In addition, claims 1, 7, 9, 18 and 22 were objected too because of informalities. Also claims 2, 10 and 19 were rejected under 35 USC 112.

Claims 1 to 4, 9 to 12, 17 to 19, 22 and 23 were rejected under 35 USC 102(b) as being anticipated by US patent 5,873,906 (Lau et al).

Claims 5, 7, 8, 15, and 6 were rejected under 35 USC 103 as being unpatentable over US patent 5,873,906 (Lau et al) in view of US Patent 4,913,141 Hillstead.

An amendments have been made to claim 1 to correct the word "then" to "than". The phrase in which this word appears relates to a comparison "greater ... than ...". The word "than" is the correct word in this context. The word "than" already appears in claims 9 and 22 in the same context. No amendment is necessary in these claims. We submit that in making this amendment no new subject matter has been added.

Also in claim1 an amendment is made to more particularly define the deployment device by adding the feature of a guide wire catheter and that the retention is to the guide wire catheter. Support for this amendment may be found on page 12 lines 1 to 16 and in claim 5. A consequential amendment is made in claim 5 because the guide wire catheter has already been defined in claim 1. We submit that in making this amendment no new subject matter has been added.

The dependencies of claims 7 and 18 has been amended as suggested by the Examiner. We thank the Examiner for pointing out this informality.

Claim 9 is being amended to specifically define that the retention of the stent graft is specifically to the deployment catheter of the deployment device rather than generally to the deployment device. We submit that in making this amendment no new subject matter has been added.

Claim 17 is amended to clarify the terminology therein. We submit that in making this amendment no new subject matter has been added.

Claims 2 and 10 have been cancelled and claim 19 has been amended in response to the rejections under 35 USC 112.

With reference to the rejections of claims 1 to 4, 9 to 12, 17 to 19, 22 and 23 under 35 USC 102(b) as being anticipated by US patent 5,873,906 (Lau et al) we respectfully submit that this disclosure does not anticipate or teach the invention presently claimed.

Lau shows a method of reduction of the diameter of a stent graft by providing loops or stitches (308 in Figure 19A) which extend from the body of the stent graft (312) and around a release wire 306. While a guidewire tube (318) passes through the stent graft body there is no retention of the stent graft body to the guidewire tube. In the description at column 18 lines 1 to 4 it is clearly stated that the stent (312) is folded about the guidewire and held axially in place by a proximal barrier and distal barrier. It is however not positively retained to the guidewire tube or any other component by a retention arrangement as is now defined in the claims of the present application. It is the guidewire tube which in Lau et al

corresponds to the deployment device of the present application rather than the tether wire (306 in Figure 19A) or the slip wire (320 and 322 in Figure 21) which merely hold the stent graft to itself in a reduced diameter configuration. Claim 1 of the present application specifically states that the stent graft prosthesis is temporarily retained to the guide wire catheter. We submit that claim 1 is not anticipated by Lau et al.

For corresponding reasons we submit that independent claims 9, 22 and 23 are also not anticipated by Lau et al. In claim 9 it is now specifically stated that the stent graft prosthesis is retained to the deployment catheter. As discussed above this is a different feature than the tether wire or the slip wire of Lau et al which merely hold the stent graft to itself in a reduced diameter configuration.

Claims 2 to 4, 10 to 12, 17 and 18 all depend from claims which, for the reasons as discussed above, are not anticipated by Lau et al and for the same reasons we submit that claims 2 to 4, 10 to 12, 17 and 18 are not anticipated by Lau et al.

With reference to claims 5, 7, 8, 15, and 6 being rejected under 35 USC 103 as being unpatentable over US patent 5,873,906 (Lau et al) in view of US Patent 4,913,141 (Hillstead), we submit that as these claims depend from claims which are novel and not anticipated by Lau et al and that these claims are also novel and non-obvious.

With reference to the Information Disclosure Statement, attached is a corrected Form 1449 as well as copies of the foreign references cited.

We thank the Examiner for his indication that claims 6 and 14 would be allowable if rewritten to include the limitations of the base claims and any intervening claims. We believe that the base claims as amended are themselves allowable for the reasons discussed above.

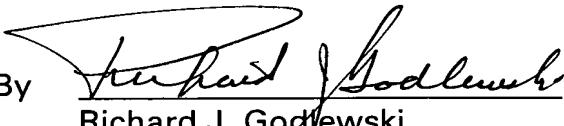
The examination and reconsideration of this application is respectfully requested and it is further requested that this application be passed to issue.

Although the foregoing discussion is believed to be dispositive of the issues in this case, applicants' attorney requests a telephone interview with the Examiner to further discuss any unresolved issues remaining after the Examiner's consideration of this matter.

Respectfully submitted,

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